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July 21, 2022

**VIA ECF**

Hon. Paul G. Gardephe, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, NY 10007

**Re: Everytown for Gun Safety Action Fund, Inc. v. Defcad, Inc., et al.  
Civil Action No. 21-cv-8704 (PGG) (RWL)**

Dear Judge Gardephe:

We represent Defendants Defcad, Inc., Odysee User xYeezySZN, Defcad User xYeezySZN, The Catalog, Defcad User Freeman1337, Twitter User xYeezySZN, and Phillip Royster.

We write to Your Honor on behalf of all represented parties in this matter.

The parties participated in a Civil Appeals Mediation Program (CAMP) conference with the Court of Appeals for the Second Circuit yesterday. At the conference, the parties agreed to jointly request, as soon as Your Honor is able to do so, that Your Honor kindly refer this matter to the mediation program for the Southern District of New York so that the parties may promptly engage with a mediator experienced in trademark law.

We thank the Court for its assistance.

Respectfully submitted,

/s/ Daniel L. Schmutter  
DANIEL L. SCHMUTTER

DLS/ars

cc: Marcella Ballard, Esq. (via ECF)  
Elliott Stein, Esq.